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Message Text

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43
ACTION L-03

INFO OCT-01 EUR-25 NEA-10 ISO-00 DODE-00 PM-07 NSC-07

SP-03 SS-20 RSC-01 AID-20 OC-06 CCO-00 OCL-00 IO-14

DRC-01 /118 W
---------- 130742
R 081015Z APR 74
FM AMEMBASSY NICOSIA
TO SECSTATE WASHDC 8387
INFO AMEMBASSY LONDON

C O N F I D E N T I A L NICOSIA 591

E.O. 11652: XGDS-1
TAGS: PFOR, EG, CY, UK, US
SUBJECT: NIMBUS STAR: STATUS-OF-FORCES IN CYPRUS

REF: STATE 069904; NICOSIA 573

1. WE MIGHT OR MIGHT NOT BE ABLE TO PERSUADE THE GOCYPRUS TO UNDERTAKE A FORMAL EXCHANGE OF NOTES. MY GUESS IS THAT HELICOPTERS WILL HAVE COME AND GONE BEFORE WE GET AN ANSWER, IF WE TRY THAT TECHNIQUE.

2. THERE ARE TWO PROBLEMS:

(A) 1968 AGREEMENTS PROVIDE FOR CERTAIN DUTY-FREE IMPORTS. GOCYPRUS IS RELUCTANT TO GIVE UP POTENTIAL SOURCES OF REVENUE, AND MIGHT THINK WE WERE SEEKING SUCH RIGHTS.

(B) 1968 AGREEMENT PROVIDES VIENNA CONVENTION IMMUNITIES AS "ADMINISTRATIVE AND TECHNICAL STAFF." THESE IMMUNITIES ARE LARGELY CONFINED TO PERSONS IN THE EXERCISE OF THEIR DUTIES. SINCE IT IS NOT CONTEMPLATED THAT OUR PERSONNEL WILL BE ENGAGED IN DUTIES ON GOCYPRUS SOIL, AND SINCE INCOMING PERSONNEL WILL NOT BE FORMALLY ATTACHED TO EMBASSY, GOCYPRUS WILL PROBABLY BE RELUCTANT, PARTICULARLY SINCE THEY ARE NOT GETTING ANYTHING DIRECTLY FROM US.
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3. IF DEPT BELIEVES SOME FORMAL DOCUMENTATION NECESSARY,
WE ARE WILLING TO TRY. IN THAT CASE, HOWEVER, RECOMMEND
I BE GIVEN DISCRETION TO TRY IDEA OUT FIRST, INFORMALLY
WITH FOREIGN MINISTRY, AND ALSO TO ELIMINATE POTENTIAL
OBSTACLES PARA 2(A) ABOVE BY MAKING CLEAR FROM OUTSET THAT
WE ARE NOT SEEKING CUSTOMS IMMUNITIES.

4. RECOMMEND THAT COMMANDING OFFICER OF INCOMING GROUP
BE INSTRUCTED TO CONTACT ME THROUGH DATT, AND THAT HE BE
INSTRUCTED AS TO HIS RESPONSIBILITIES TO EMBASSY IN THIS
UNUSUAL CIRCUMSTANCE.

5. AS FOR SOFA ON SBAS. HIGH COMMISSION ASSUMES SAME
SOFA ARRANGEMENTS WOULD APPLY AS IN ENGLAND, AND APPARENTLY
HAS CLEARED THIS ASSUMPTION WITH BASE AUTHORITIES.
TO AVOID AROUSING CYPRIOT AND BRITISH SENSITIVITIES AS TO
NATO ROLE OF SBAS, SUGGEST THAT ANY PUBLIC REFERENCE INDICATE
THAT SAME RULES WOULD APPLY AS IN ENGLAND, AVOIDING
REFERENCE TO "NATO SOFA."
GRANT

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: MILITARY PERSONNEL, EXPLOSIVES, NIMBUS STAR OPERATION, INTERNATIONAL CANALS, PERSONNEL ASSIGNMENTS, TAXES, MILITARY AGREEMENTS
Control Number: n/a
Copy: SINGLE
Draft Date: 08 APR 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: golinofr
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974NICOSI00591
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: X1
Errors: N/A
Film Number: D740079-0511
From: NICOSIA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19740459/aaaacbil.tel
Line Count: 81
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION L
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators:
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: STATE 069904; NICOSIA 573
Review Action: RELEASED, APPROVED
Review Authority: golinofr
Review Comment: n/a
Review Content Flags:
Review Date: 19 MAR 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <19 MAR 2002 by collinp0>; APPROVED <06 MAY 2002 by golinofr>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: NIMBUS STAR: STATUS-OF-FORCES IN CYPRUS
TAGS: PFOR, EG, CY, UK, US
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005

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